

Tritax Symmetry (Hinckley) Limited

HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

The Hinckley National Rail Freight Interchange Development Consent Order

Project reference TR050007

Applicant's Response to Deadline 4 Submissions [part 2 - HBBC]

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9 February 2024

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
Regulation 5(2)(q)

Applicant's Response to HBBC Deadline 4 Submission - Response to Additional Deadline 3 Submissions

This representation is made by Hinckley and Bosworth Borough Council in response to the latest version of the DCO and Requirements.

In response to the applicant's evidence regarding the strength of the market for rail freight facilities, the Council seeks further certainty regarding the provision of the warehouse floorspace being connected to the rail freight facility by way of additional wording to Requirement 10 'Rail'.

The Council requests that the following additional requirements are added under Requirement 10:

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
REP3 - 038 – HGV Route Management Plan & Strategy			
1	Para 1.7	There are concerns by local residents and stakeholders that given the scale of HGV activity there is likely to be an increase in inappropriate HGV parking. This may not be illegal but a significant public nuisance relating to litter, use of the streets as toilets etc. The HGV strategy sets out a mechanism to identify HGVs using the site by tenants using ANPR cameras. The Council requests that the strategy goes further to include measures to discourage inappropriate parking locally and allow reporting of issues by locals with details of this to the Site Management. They should then check these vehicles against the database of site vehicles and take the appropriate action as with use of prohibited routes.	The applicant remains committed to reviewing the parking and any nuisance caused by parked vehicles connected with the site on surrounding roads. This will be reportable to the site management team who will act with tenants to ensure any breaches are halted and prevented in the future. This is set out in Section 5 of the HGV Route Management Plan and Strategy submitted at Deadline 5 (document reference: 17.4C).

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2	Para 1.8	States that <i>'the DCO will contain a requirement for a HGV routing strategy to be discharged prior to operational use'</i> – It is not clear once approved how this will be enforced and how additional measures would be introduced should these prove unsuccessful. For example a bond may be provided to implement further measures/ANPR cameras.	Section 5 of the HGV Route Management Plan and Strategy (document reference: 17.4C) sets out the levels of process and review for the plan's implementation, including thresholds and stages of intervention/enforcement- in three clear parts: The first being management interventions controlled by the Travel Plan Coordinator; second a Private Penalty System under the responsibility of the Site Management and the third being a revised HGV Route Management Plan subject to the Strategy Review Panel, which will include the Highway Authorities. The document is secured through Requirement 18 in the dDCO. The Applicant has also included a schedule of commitments within the updated HGV Route Management Plan and Strategy to assist with clarity on the commitments contained within it.
3	Para 5.1	HBBC welcomes the involvement of planning authorities and parish councils along with the highway authorities in the governance of any final strategy and would seek assurance that the relevant HBBC parish councils will be on this steering group.	If requested the applicant can forward HGV reach reports to the Parish Councils
4	Management Plan 17.4 and section 5	Indicates that roads through Hinckley Town centre and Barwell are prohibited routes, and this is welcome. However in the latter sections on management and enforcement , e.g. 5.15 these roads are not mentioned as prohibited, and the following tables showing proposed level of	The HGV Route Management Plan and Strategy (document reference: 17.4C) sets out that ANPR is intended to target the routes that may be used by development traffic as opposed to the SRN. The implementation of the south facing slips will remove HGVs from routes in Hinckley and Barwell. The routes

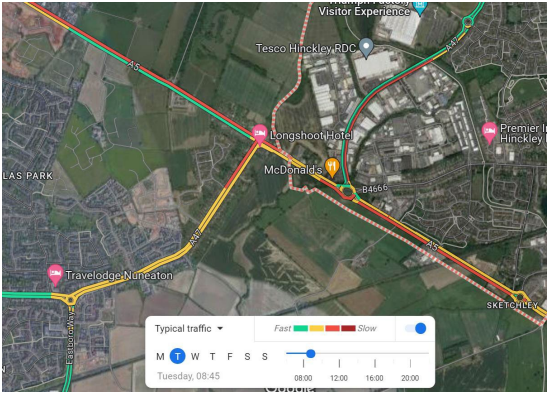
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		<p>enforcement breaches do not include these roads, and there is no proposal for ANPR cameras to obtain information on use of these prohibited routes. The Council requests amendments to this plan to show how these important prohibited routes will be covered.</p>	<p>will remain undesirable, but ANPR implementation is not proposed at this stage. Reviews with the Strategy Review Panel provides the opportunity to address this should issues be reported.</p> <p>To safeguard local communities and mitigate potential disruptions during the development phase, the Applicant shall incorporate specific provisions within any contract related to the development. These provisions are designed to restrict the Principal Contractor from utilising routes through Hinckley, Sapcote, Stoney, and Elmesthorpe. This is set out in document 20.1.9 Applicants response to Exa Written Questions [Appendix I Construction Traffic Derivation]. This document will be appended to the Construction Traffic Management Plan (CTMP) for Deadline 5 (document reference: 17.6C); the CTMP is secured by Requirement 23.</p>
5	Construction HGVs	<p>See note under 17.6b below, the Council requests that construction HGVs also be included on the strategy management and enforcement in particular in relation to prohibited routes and management/enforcement of prohibited routes.</p>	<p>To safeguard local communities and mitigate potential disruptions during the development phase, the Applicant shall incorporate specific provisions within any contract related to the development. These provisions are designed to restrict the Principal Contractor from utilising routes through Hinckley, Sapcote, Stoney, and Elmesthorpe. This is set out in document 20.1.9 Applicants response to Exa Written</p>

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			<p>Questions [Appendix I Construction Traffic Derivation]. This document will be appended to the Construction Traffic Management Plan (CTMP) for Deadline 5 (document reference: 17.6C); the CTMP is secured by Requirement 23.</p>
6	<p>REP3 - 040 – Construction Traffic Management Plan</p>	<p>While some broad information is provided on phasing and overall vehicle volumes and routes, it is not clear from the CTMP what impacts there will be on roads in the borough; the Council seeks confirmation of the staging of construction and how it will impact on roads in the borough during each phase, with vehicle numbers. For example no detail is provided of use of the proposed haul road on Smithy Lane (para 1.88) or the distribution of traffic following the initial phases (para 1.95). The applicant should clearly show graphically the phasing and likely traffic using different routes together with the prohibited routes.</p>	<p>See above- response to Construction HGVs at response 5.</p>
7	<p>REP3 – 043 – M69 Emergency Closure Plan</p>	<p>The Council does not believe that this provides an adequate response to the matter raised by the ExA at the Hearing, which required an assessment of the implications of the development in the event of M69 closures. The applicant claims the development and its traffic will not affect the frequency or impact of any closures of the M69 but does not provide any justification for this given the significant increase in traffic volumes. The potential closure of the M69 in either direction for</p>	<p>SRN closures are an unavoidable issue in the management of such a network. Capacity on LRN is invariably much less than the SRN itself and is the case across the country.</p> <p>As mentioned in the document M69 Emergency Closure Plan (document reference: 17.8, REP3-043) In circumstances where closure of the SRN occurs, the Emergency Routing Plan would come into force. A</p>

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		<p>only short periods of time will have a significant impact on the local highway network within the borough and on its residents and businesses as the only route for traffic to use would be the A47 link road, for traffic either seeking an alternative route north to the M1 or south to the A5. The Council's view is that this issue should be considered further with appropriate modelling to properly consider the impacts in order to determine whether they are acceptable.</p>	<p>further document was submitted at Deadline 4 which outlines the Incident Plan in more detail (document reference: 17.8.1, REP4-115) It is a locational requirement for SRFIs to be close to major trunk roads. (NPS – NN 2.45) in order to primarily route the HGV short haul movement, via the SRN. The additional traffic associated with HNRFI will not have a direct bearing upon the frequency of closures of the SRN, which are not directly related to the volume of traffic. Accidents may happen for a range of reasons and cannot be modelled for frequency.</p> <p>The future Site management will have opportunity to communicate to the occupiers to limit or stop trips onto the LRN while the SRN closures are in place. Further detail is included within the HGV Route Management Plan and Strategy (document reference: 17.4B, REP4-113) paragraphs 4.11-4.17 Delays associated with the closures or diversions onto inappropriate routes would not be commercially attractive to logistics operators.</p> <p>The A47 link road provides a new alternative between the M69 and the A47 which will remove the requirement of traffic to route through Hinckley or Elmesthorpe.</p>
8	REP3 – 054 – Accessibility	The accessibility plans for walking and cycling appear incorrect and thus confusing. For example	Figure 11.14A has been updated for Deadline 5 to clarify the position in relation to permissive paths and

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	Plans for Burbage Common Road	they show a 'proposed permissive path' for walkers and cyclists along the A47 – but the Council would expect these to be part of the publicly adopted highway and thus, not permissive paths. The council has expressed concern at details of these routes including the need to cross the link road in path continuity and how safe and what quality the permissive paths will be across the site as well as crossing facilities - these concerns remain.	adopted paths. A plan showing the footpath / cycleway A47 link road design including crossing points is submitted as Written Statement of Oral Case ISH6 (Appendix C – Plan for A47 link road footway / cycleway design (document reference 18.15.3).
	REP3 – 018 – Framework Travel Plan		Written Statement of Oral Case ISH6 [Appendix C - Plan for A47 link road footway/cycleway design]
9	Page 21	There are some anomalies which require correction between the description of existing bus services in the sustainable transport strategy and the Travel plan, such as the service 8	An amended plan was submitted at Deadline 4 (document reference: 6.2.8.2B, REP4-055) which addresses the anomalies reported. The Travel Plan (document reference: 6.2.8.2C) has been further updated at Deadline 5 to reflect the additional clarifications added to the Sustainable Transport Strategy (document reference: 6.2.8.1C).
	Page 28	It is not clear which of the elements listed here from the Sustainable Transport Strategy (STS) will be implemented by the applicant and when; and what in what detail (such as the cycling improvements). As noted in the separate comments in relation to the STS, the bus proposals appear minimal with no detail of the catchments,	An updated version of the STS was submitted at Deadline 4 (document reference: 6.2.8.1B, REP4-052) which provides a greater degree of detail on the points raised here. To provide further clarity on what is being proposed through the STS and secured by requirement 8, which

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		<p>journey and walking times relating to the proposals. The Travel Plan only appears to commit to the X6 service, an extension of the 8 service and relatively unspecified DRT provision. These elements need to be further described and detailed to be meaningful measures in the Travel Plan that can be secured and monitored.</p> <p>As one example, in respect of bus service 8 (Hinckley Nuneaton), table 6 in the STS describes a potential option; there is no plan of the proposed route and stops, the stop catchments and service journey time, including walk to/from bus stops (or interchange with described internal shuttle bus) . It is not quite clear the timings of the service and days of week of operation although it seems to be a 1 per hour proposal. Without this information it is difficult to understand whether this service will provide good accessibility and how it can be secured.</p>	<p>secures the STS through the dDCO a table has been inserted into the STS as Table 1 providing a summary of the committed sustainable transport provisions. The updated STS is submitted at Deadline 5 (document reference: 6.2.8.1C)</p>
REP3 – 0157 – Transport Assessment (Part 1 of 20)			
10	Para 8.8.5	<p>Junction 13 – M69 Junction 1 -the conclusion seems to hinge on a recalibration of the installed MOVA system , which presumably could be and may indeed be done now in the base situation. There should be appropriate comparison of this junction given its critical nature as a link to the A5.</p>	<p>Further VISSIM modelling was carried out for Deadline 4 with observed flows from November 2023. This is included within the 2023 Transport Update (document reference: 18.13.2, REP4-131). This report contains further review of the requirement for MOVA updates.</p>

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11	Para 8.93	<p>Junction 14 – A5 / B4666 / A47 (Dodswells) – the conclusions that this junction will operate satisfactorily in 2036 without mitigation seems at odds with current practical experience in the peak hours, where extensive queuing and interactions with the adjacent A5/Longshoot junction. The operation of this junction is very important to the Council in that delays here may encourage much higher use of the A47 rather than the A5/M69. The extract from current Googlemap depictions of delay here in a typical morning peak hour is below and shows current issues.</p> 	<p>Further VISSIM modelling was carried out for Deadline 4 using the National Highways Model for Dodswell and Longshoot and the additional traffic forecast and mitigation proposed for the Padge Hall Farm development. This was agreed with the Highway Authorities and is reported in the Transport 2023 Update (document reference: 18.13.2, REP4-131). Mitigation is only necessary to ensure there is no detriment due to the proposed development. Impacts from the development were concluded to not trigger any mitigation.</p>
12	Para 8.21	<p>J21 of the M1 – this issue and the lack of detailed modelling has been discussed at the examination and this new version of the TA has not provided any further information. This remains a concern</p>	<p>The Transport 2023 Update (document reference: 18.13.2, REP4-131) submitted at Deadline 4 contains additional information relating to M1 J21 and modelling assessments of the forecast impacts of the</p>

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		for the Council given the effect it has on local roads in the Borough and the wider accessibility of the area.	development. The Applicant maintains that the impact of the Development is not severe when compared with the forecast background flows.

Applicant's Response to HBBC Deadline 4 Submission – Response to Draft DCO & Requirements

This representation is made by Hinckley and Bosworth Borough Council in response to the latest version of the DCO and Requirements.

In response to the applicant's evidence regarding the strength of the market for rail freight facilities, the Council seeks further certainty regarding the provision of the warehouse floorspace being connected to the rail freight facility by way of additional wording to Requirement 10 'Rail'.

The Council requests that the following additional requirements are added under Requirement 10:

No	ExQ Ref	Matter	Applicant's Response
1	i	[The undertaker must notify the local planning authority of the date of the first occupation of more than 105,000 square metres of warehousing within 28 days of such occupations occurring.]	The Applicant is content to include this addition to Requirement 10 and will do so in the next version of the dDCO to be submitted.
2	ii	Following completion of the rail terminal works the undertaker must retain, manage and keep the rail terminal works available for use throughout the period of occupation of the warehousing floorspace.	The Applicant is content to include the principle of this wording in the dDCO and will do so in the next version of the dDCO to be submitted. Note that the second 'works' should be deleted as it is the rail terminal that will be available for use throughout the period of occupation of the warehousing floorspace, not the works themselves.
3	iii	The undertaker must appoint a rail freight co-ordinator prior to the completion of the rail terminal works who must report to the local planning authority no less than once a quarter on the operation of the rail terminal when open including—	This is not agreed. There is no policy basis for the inclusion of this wording and the Applicant does not consider that the proposed wording meets the tests for the inclusion of a requirement in a Development Consent Order pursuant to section 120(2)(a) PA 2008 or to the NPS (paragraph 4.9). The current wording of Requirement 10 is sufficient to ensure

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		<ul style="list-style-type: none"> • the appointment of a rail operator to operate the rail terminal; • the amount of rail freight usage of the rail terminal; • the number of trains using the rail terminal; • the warehousing receiving or sending goods through the rail terminal; and • the amount of goods being received or sent through the rail terminal by freight 	<p>that the authorised development meets the requirements of the Act and the NPS for the delivery of the NSIP.</p>
4	iv	<p>The undertaker must maintain a person in the position of rail freight co-ordinator throughout the life of the authorised development unless otherwise agreed with the local planning authority.</p>	<p>This is not agreed – as above.</p>

Applicant’s Response to HBBC Deadline 4 Submission - Response to Examining Authority Written Questions ExQ1

No	ExQ Ref	Matter	Hinckley & Bosworth Response	Applicant’s Response
1	1.0.4	<p>Equality Impact Assessment</p> <p>Could all interested parties provide the Examination with their views as to how the Proposed Development would affect any person with any protected characteristics set out in section 4 of the Equality Act and whether it would (in line with s149 of this Act):</p> <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. 	<p>In the Borough Council’s opinion there are two groups of persons with protected characteristics who would be affected by the proposed development, namely, those with a disability and the gypsy and traveller communities at Aston Firs and Leicester Road (Hinckley).</p> <p>The Examining Authority should ensure that it has `due regard` to the duty imposed on it by s 149 Eq Act 2010 in so far as those who have a protected characteristic by virtue of a disability or ethnicity are concerned.</p> <p>The Examining Authority is referred to the case of LDRA Ltd v Secretary of State for Communities and Local Government 2016 EWHC 950, and to paragraphs 22- 33 of the judgement.</p> <p>The ExA should ensure that it has sufficient information to enable the balancing exercise to be carried out and that that information is before the decision-maker. If relevant information is not available the EA has a duty to</p>	<p>The Applicant does not disagree that those with a disability and the gypsy and traveller community might be affected by the proposed development as it has made clear in its EQIA and previous submissions. However, the Applicant has also noted in those submissions that the Proposed Development would align with s149 Equality Act.</p> <p>Further, the Applicant notes that the Council has not offered any evidence by way of response to disagree with the Applicant’s conclusions, nor does it explain how the case of LDRA Ltd v Secretary of State for Communities and Local Government is relevant to any points it would wish to make in response to the Applicant’s submission on this issue.</p> <p>As previously discussed with HBBC, and framed in the Inspectors Question, the Equality Act centers on</p>

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			<p>acquire it.</p> <p>In so far as the two gypsy/traveller sites are concerned the same considerations apply and should be undertaken by the ExA. The Council's view is that the two sites will be impacted in visual and aural terms by the proposed development which could have subsequent impacts on health. These points are referenced in the corresponding Statements of Common Ground on noise and health.</p>	<p>preventing illegal discrimination, and then fostering wider opportunities for inclusion and equality between those with a protected characteristic and those without.</p> <p>Firstly, there is no illegal discrimination from the Narborough Level Crossing, where the crossing opens and closes based on rail movement, not on user protected characteristic.</p> <p>The proposed development would result in one additional train in peak morning hours (7 am – 10am) and two trains in the afternoon (4 pm and 7 pm). Each train would cause a maximum barrier downtime of 2 minutes and 30 seconds. This does not represent a significant impact on access or accessibility for any community member, including individuals with protected characteristics.</p> <p>This is further corroborated in the BDC Narborough Social, Health & Wellbeing Impact Report (Iceni),</p>

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				<p>which concludes that: "the increased downtime of the barrier at Narborough Crossing is not considered to have an overall material impact on quality of life of residents".</p> <p>In the absence of any illegal discrimination, and no material impact on accessibility or quality of life (as concluded in BDC's own report), it is unclear what additional factors should be considered by PINS in its Due Regard.</p>
2	1.1.2	<p>Air Quality</p> <p>Could the parties advise if the East Midlands Air Quality Network have been consulted as part of the application? If so, what was its response to the Proposed Development.</p>	<p>The Council is not aware that the Network has been consulted.</p>	<p>See Applicants response to First Written Questions 1.1.2 (document reference: 20.1, REP4-141), pasted below for ease of reference.</p> <p><i><u>The Applicant has not consulted the East Midlands Air Quality Network (EMAQN) directly. The EMAQN is not a prescribed s42 consultee nor was it identified as a body with whom the Applicant were requested to consult during the consultation process with the Environmental Health Departments at Blaby District Council</u></i></p>

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				<p><u>and Hinckley and Bosworth Borough Council, nor as part of the scoping responses, nor was the Applicant requested to consult with them as part of PINS s51 advice following acceptance. We understand however that Blaby District Council are part of the EMAQN and the Applicant has consulted with the Blaby District Council Environmental Health Department.</u></p>
3	1.2.2	<p>ES Appendix 11.4: Arboriculture Impact Assessment [APP-194] Please confirm or otherwise your comments on the Arboriculture Assessment and the loss of trees, particularly the loss of Category A specimens. In addition, please comment on the compensatory provisions proposed.</p>	<p>The Council's comments on arboriculture matters are contained within the Local Impact Report (REP1 – 138) under the heading of 'Landscape & Visual Impact'. Extracts from the LIR – <i>"The development will entirely replace the existing rural vale landscape which is comprised of a mix of arable and grazed farmland enclosed by a network of mixed hedgerows with mature trees (oak, ash and elm), crossed by minor stream and water features. The site is part of a relatively tranquil rural landscape between the urban areas of Burbage, Hinckley, Barwell and Earl Shilton which lie to the west/north and the M69 part of a wider vale which extends from the</i></p>	<p>Taking the rationale first, to confirm, there are very specific gradients that a rail line can be set at (max 1:200), the curvature of the rail lines to access the areas that have been defined with having the ability to be rail connected (min 150m internal radii), and also the standing level of the sidings where the rail wagons with the containers upon them would be (max 1:500). These defined parameters, in turn, influence the plateau levels where they are proposed.</p> <p>In addition, the scheme also has to respect the existing levels that surround the main development</p>

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			<p><i>settlements to the Soar tributaries in the east. The development will change the character of the extensive site from open countryside to industrial/urban, with complete loss of all features including the mature trees (including a veteran tree) and hedgerows, water features and rural farms within the site.”</i> (para 7.5). <i>“The scale of the development means that the Landscape Strategy (ES Figure 11:20, document reference APP - 304) does not mitigate the effects but does seek to reduce them. The proposals allow for buffer planting and screening to the edge of the development, but the areas required to sufficiently screen the scale of the development are currently inadequate. For people moving around the area (on local rights of way and roads) the development is of such a size and scale that it will be a constant presence, even where screening means that in specific, individual views there are only glimpses, these will contrast with other views where the scale and size of the facility is wholly dominant forming the horizon.”</i> (para 7.7). <i>“There is proposed planting of a new Western Amenity Area extending to 22 ha as an extension to the public open space, however, this area can already be appreciated as an undeveloped rural farmed vale landscape as it</i></p>	<p>plateaus, and tie into those as well as the new highway infrastructure levels and finally achieve a cut/fill balance across the site to avoid the exportation of material from the site.</p> <p>Moving on to the construction methodology, the development areas will initially receive a topsoil strip to take it down to a reduced level, which will then be subject to the earthworks cut and fill process in line with the agreed levels strategy as well as any earthworks stabilisation that is required as an output of the detailed ground investigation. For the buildings, this is followed by a buildup in levels to achieve the desired FFL, which will include the subbase, and concrete floor slab, the thicknesses of which, will be subject to the bearing capacity of the ground, the load they are designed to take as well as any individual occupier requirements such as imposed mezzanine floor loadings. The areas that surround the buildings, such as the yard and parking areas, will be subject to their own detailed</p>

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			<p><i>exists (albeit without public access). The new 'amenity' area will be impacted by the proposed A47 Link Road which will be a dominant feature affecting the amenity of users to the extent that it is unlikely to offer any further attraction over the existing amenity area. However, the proposed native tree and shrub planting here will be effective in helping to screen views from some local areas to the south including parts of Burbage Common and illustrate the benefits of 'off site' planting at distance from the development."</i> (para 7.9).</p> <p>The Council would prefer to retain the veteran tree which the developer proposes to remove, if possible, particularly as such trees fall under 'irreplaceable habitat' in BNG terms.</p> <p>At the hearing, the applicant stated that due to the ground levelling that was required for the project that micro-siting around this tree was not possible, however the Council would request further clarification on the construction methods and rationale that has been used to determine this approach in order to better understand the process.</p> <p>The Council would also seek clarification on any features present on the veteran tree relating to potential use by roosting bats and/or nesting barn owl.</p>	<p>buildup process but ultimately need to relate to the level of the building for operational and access purposes. The council have commented on the landscape and visual impact assessment here rather than the arboricultural impact assessment which is Appendix 11.4 to the Landscape ES Chapter (document reference: 6.1.11B, REP4-041). The comments made are a repeat of comments that have been made before many times and will not therefore be responded to again.</p> <p>It should be noted that whilst Veteran Trees can't be replaced as such the 20,000 new trees proposed as part of new woodland and parkland tree planting and approximately 600 street trees will provide considerable mitigation for tree losses on site.</p> <p>T486, also listed as T74 within the Ecology Baseline (document reference: 6.2.12.1A, APP-197) and on Figure 12.14 Bat Roost Assessment (Trees) (document reference:</p>

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				6.3.12.12, APP-317), has moderate bat potential on account of the large root holes and splits it supports. No evidence of barn owl usage has been recorded to date.
4	1.4.2	<p>Levelling Up and Regeneration Act 2023</p> <p>Are there any implications for the proposed development on cultural heritage assets as a result of Section 102 of the Levelling Up and Regeneration Act 2023? If you consider there are, please set out your analysis for consideration.</p>	The application site is not a 'relevant asset' as defined in the Act.	Agreed
5	1.4.4	<p>Appendix 13.1 Archaeological Assessment [APP-201]</p> <p>a) Please confirm whether you agree with Archaeological Assessment and its conclusions, and in particular the suggestion at paragraph 1.78 that the Romano-British remains are of low to medium importance and do not require preservation in-situ. If not, could you please explain why you hold that view.</p> <p>b) In addition, paragraph 1.119</p>	A response to this question should be provided by Leicestershire County Council (Planning Archaeology) as the authority responsible for determining the significance of such remains, assessing impacts and suggesting mitigation measures. The Council has no further comments on this question.	Agreed- The BDC response contains the response from Leicestershire County Council (Planning Archaeology).

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		<p>identifies a series of trial trench excavations, please advise if you consider the extent and coverage to be sufficient to properly inform the Archaeological Assessment of the Proposed Development.</p>		
6	1.5.13	<p>Schedule 2, Part 1 – Requirement 5 Could NH, LCC, BDC and HBBC confirm that they are content to be the relevant approval bodies as set out in this table, and whether they are content with the drafting or whether they should be considered via the relevant planning authority? If they consider alternative drafting should be utilised, could they please provide it, explaining why they prefer this drafting.</p>	<p>This Requirement refers to the design and phasing of highway works. The Borough Council is not cited in this Requirement as an approval body.</p>	<p>Since the Council has not indicated disagreement nor suggested any alternative drafting, the Applicant assumes that the Council is satisfied with the proposed drafting of the requirement. The Applicant would confirm that the “relevant body” in column (4) of the table in requirement 5 is intended to be restricted to the highway authority for the works in question.</p>
7	1.7.11	<p>Logistics Demand and Supply Assessment [REP3-036] – Industrial and Logistics demand Page 7 of the Executive Summary states that previous employment studies have significantly underestimated Industrial and Logistics demand. Could Local</p>	<p>Studies have been undertaken in 2014, 2016 and 2021 considering the employment needs for large scale distribution space. These have followed recognised methodologies include past completions trends and modelling future freight</p>	<p>Please refer to Applicant's Response to LCC Deadline 4 Submission (1.7.11) (document reference: 18.17).</p> <p>In addition, it should be noted the PPG at Paragraph: 031 Reference ID: 2a-031-20190722 doesn't require certain methodologies to be used when assessing need but rather</p>

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		<p>Authorities comment on this and provide any data to support your statements.</p>	<p>growth.</p> <p>Through the 2013 to 2022 period the large scale (9,300sqm+ units) industrial market has reported an average vacancy of availability rate of 5% and vacancy 4.2% (derived from CoStar database).</p> <p>With a typical optimum of 5-10%, these have been at the lower end of the range but not severely undersupplied</p> <p>The most recent 2021 study added a considerable 'margin' of c25% above the base need forecast in recognition of high demand levels and looking to improve delivery.</p>	<p>outlines some steps to help 'inform' this process.</p> <p>The Savills suppressed demand model is considered to meet the requirements of the NPPF and PPG. Firstly, it takes account of market signals in accordance with Paragraph 31 of the NPPF and as explained in paragraph 4.4.4 to 4.4.6 of the Logistics Demand & Supply Assessment (document reference 16.2A, REP3-036) accords with the PPG.</p> <p>It also worth noting that the preferred demand model within the L&L Strategic Warehousing study being "High replacement, sensitivity test traffic growth" is not a standard past take up or labour demand model.</p> <p>Iceni who prepared the L&L Strategic Warehousing study have used Savills suppressed demand model recently as part of their work on the Warehousing and Logistics in the South East Midlands Study. We are also informed it is being used as one</p>

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				of the estimation methods as part of the West Midlands Strategic Employment Sites Study.
8	1.7.12	<p>Logistics Demand and Supply Assessment [REP3-036] – Employment evidence base</p> <p>a) Paragraph 1.1.5 and Table 4.2 indicate the Applicant has reviewed the employment evidence base of the 12 planning authorities. Given that some of the studies have been prepared a number of years ago, have any local authorities updated their evidence base or are in the process of doing so?</p> <p>b) If so, how does this relate to the methodology and the assessment made by the Applicant.</p>	<p>The most relevant planning evidence study is the 2021 "Warehousing and Logistics in Leicester and Leicestershire: managing growth and change" as this deals with the strategic need rather than local. It is not clear that the studies in table 4.2 are wholly relevant to the matter, and this list excludes the 2022 Leicester and Leicestershire HENA which itself defers to the 2021 Warehousing report (above) in terms of strategic employment units need. Outside of Leicestershire, most other studies deal with the issue of local need as the strategic need is dealt within in the 2021 West Midlands Strategic Employment Sites Study.</p> <p>The applicant's assessment provides later assessment than the 2021 Leicestershire Warehousing Study. It covers a different market area. It includes a 'suppressed demand' factor which looks to uplift the future</p>	<p>a) a) The local authorities included within Table 4.2 of the Logistics Demand & Supply Assessment (document reference 16.2A, REP3-036) are relevant to the Property Market Area (PMA) specific to HNRFI.</p> <p>The regional employment evidence is reviewed in detail within Section 4.2 of the Logistics Demand & Supply Assessment (document reference 16.2A, REP3-036) .</p> <p>b) The suppressed demand approached used in Document</p>

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		c) In addition, if updated evidence	<p>need to compensate for past low vacancy. Whilst the merits of this are broadly understood, the methodology does not comply with the NPPF or PPG and it is not clear how low vacancies of up to a decade in the past should feed into future demand based requirements. It also appears to be a shortcoming that the applicant's demand assessment only includes suppressed demand but not oversupply periods. Overall in this light, the 2021 Warehousing study 'margin' (see previous response) is preferred.</p> <p>Furthermore, adjustments for e-commerce are not considered to have merit. As ONS reports demonstrate, the increase online sales is essentially linear, and post COVID-19 returns to that trend line. That means that historic market 'deals' and 'occupations' from past decades already present the e-commerce market and a further top up is simply double counting.</p>	<p>Reference 16.2A, REP3-036 does comply with the NPPG and PPG. Please see response to 1.7.11 above.</p> <p>There appears to be confusion about the ecommerce uplift. There is no double counting as suggested as we only uplift based on the difference between the historic amount of online sales versus future projections but excluding the Covid years. The amount of online sales is a function of both existing households predicted to spend more online in the future and the fact we are building new homes who too will spend online.</p> <p>Most commentators agree that online retailing will continue to grow from a higher base than before the pandemic due to behavioral changes such as increased home working and continued demand for rapid parcel deliveries. This includes the National Infrastructure Commission (Better Delivery: The Challenge for Freight, 2019) who predict up to 65% by 2050.</p>

No	ExQ Ref	Matter	Hinckley & Bosworth Response	Applicant's Response
		<p>bases have or are being prepared, do these acknowledge a future warehouse supply of 1,781,000m² in the LLEP area as cited by the Applicant at paragraph 7.75 of Land Use and Socio-Economic Effects statement [APP-116]</p> <p>d) If not, what supply do they indicate? If appropriate, could an analysis of any difference be made.</p>	<p>The applicant's assessment of supply is not for the LLEP but for their own property market area including for example sites in Coventry and Nuneaton and North West Leicestershire.</p> <p>Work being undertaken by the Leicestershire authorities indicates a supply of 1.7m sqm at April 2022 against a need of 2.6m sqm thus with a shortfall of c1m sqm for the LLEP area only.</p>	<p>c) noted</p> <p>d) it is important to recognise both the Council's employment need evidence and the applicants (document reference: 16.2A, REP3-036) conclude HNRFI is needed. The difference between both parties is the level of overall logistics need.</p>
9	1.7.17	<p>Logistics Demand and Supply Assessment [REP3-036] – Development completions</p> <p>The Applicant's report in paragraph 4.3.8 considers development completions not as an indicator of demand, but rather as a supply measure. Could Local Authorities comment on whether they consider this appropriate? If not, could they give justification for their reasoning.</p>	<p>The PPG makes it clear that development completions are to be used as one indicator of future needs "It is important to consider recent employment land take-up and projections (based on past trends) and forecasts (based on future scenarios)" Paragraph: 029 Reference ID: 2a-02920190220.</p> <p>It is generally evident that past completions are</p>	<p>They key point here, as noted in the Council's response is: 'it is recognised that notable land supply constraints can reduce the effectiveness of the indicator.'</p> <p>The Applicant completely agrees with this statement and have discussed the limitations of this approach in</p>

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			<p>an indicator of demand as they report the degree of market interest, although it is recognised that notable land supply constraints can reduce the effectiveness of the indicator. Flexibility in assessments and triangulation against other methodologies is therefore required. As previous the latest evidence (2021 Warehousing study) builds in a generous margin above the completions trend. It is also of note that some 1.7m sqm of supply is available in the LLEP area, which is very substantial.</p>	<p>Document Reference 16.2A, REP3-036, paragraph 4.2.12 and 4.3.7 to 4.3.9. In effect you can't accommodate demand without available supply. Past take-up only tells you what has been built, which is inextricably linked to how much land has been allocated. It doesn't tell you what true demand would have been if more supply was made available. The Savills model helps to answer this question by estimating how much demand has been lost due to historic supply constraints (i.e. 'suppressed demand').</p> <p>We agree with the principle of sensitivity testing, but this process needs to be meaningful. For instance, the preferred demand model within the L&L Strategic Warehousing study is "High replacement, sensitivity test traffic growth". As discussed in Paragraph 4.2.9 to 4.2.13 and Section 4.2 more generally, we do not consider this model to be accurate as it estimates less demand than the supply constrained past take up trend.</p>

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10	1.7.25	<p>Overall Need</p> <p>An assertion is made in a number of the RRs (for example, [RR-0080], [RR-0550] and [RR-0745]) that there is no need for a SRFI in this location and that other existing locations over a wider area should be considered so that these are used to full capacity before this project is considered. The parties are requested to comment and respond to this assertion. In addition, could the Applicant provide a written note commenting on the availability of all these suggested alternatives and their capacity/suitability to meet some or all of the identified need for SRFI capacity in the Region?</p>	<p>The SoCG on Planning Matters acknowledges that the need for a SRFI has been established within the joint authority evidence base '<i>Warehousing and Logistics at Leicester and Leicestershire: managing growth and change</i>' (April 2021) which identifies a shortfall of 718,875 sqm of rail served sites which should be planned for the period to 2041. However, the Council understands that the market and business dynamics relating to the need for SRFIs is complex and the Council may not be well placed to consider this in full. The Council is aware that there is capacity at DIRFT and EMG in terms of 'trains per day' utilisation, however there is further development capacity notable at DIRFT which may absorb this and occupier requirements can change at any time, so there is uncertainty.</p> <p>Given the 2021 Warehousing study modelled 'need' which shows at present a considerable shortfall in supply, should a rail freight solution fail to materialise then the possibility remains that the alternative would be further road based developments.</p>	<p>DIRFT and EMG serve different markets to those identified for HNRFI.</p> <p>It is noted that it is recognised by the Council that there is a need, referenced as a considerable shortfall of warehousing and importantly, if HNRFI does not proceed, that need would have to be met by road only schemes.</p> <p>This supports the long standing position of the Local Authorities that there is a need for an SRFI in South Leicestershire, as set out in the SoCG.</p> <p>What is important to recognise is that the benefit of a rail scheme as opposed to a road only scheme, is that the rail services will work for the area's benefit, not just the scheme.</p> <p>Given the Local Authorities recognise they will have to accommodate the additional warehousing, to do so without HNRFI and its clear long-term benefits to the area, would be illogical</p>

No	ExQ Ref	Matter	Hinckley & Bosworth Response	Applicant's Response
11	1.8.2	<p>Ambient Noise Levels</p> <p>a) Following discussions at ISH3, can the Applicant provide written clarification as to why noise collected at NMPs has not been attenuated for both distance and topography in order to decipher current ambient noise levels at NSRs and why assessments do not need to be altered to account for this.</p> <p>b) Could the local authorities please comment on this also.</p>	<p>Ambient (LaeqT) and maximum (Lamax) noise levels will have been attenuated for both distance and topography within the noise model. With regard to background (LA90) levels, it is not possible to predict or calculate these, and they can only be obtained through measurement. Subsequently, it is not feasible to monitor at each sensitive receptor location. Therefore, one must first choose a location and level representative of typical conditions in the absence of noise from the scheme. BS 4142 makes it clear that the objective of any analysis "is not simply to ascertain a lowest measured background sound level, but rather to quantify</p>	<p>This is noted and agreed. This also reflected in the Noise and Vibration SoCG (document reference: 19.1B, REP4-134) regarding agreement of baseline noise monitoring and the selection of representative noise levels for each time period.</p>

No	ExQ Ref	Matter	Hinckley & Bosworth Response	Applicant's Response
			<p>what is typical during particular time periods.”, and that “A representative level ought to account for the range of background sound levels and ought not automatically to be assumed to be either the minimum or modal value”. In this regard, I feel that the applicant has correctly analysed the background sound levels in the locality, and have no concerns on the chosen LA90 noise levels used within the assessment</p>	
12	1.8.28	<p>ES Appendix 10.4 - Hinckley Consultation Response - HBBC [APP-183]</p> <p>Please comment on the responses made by the Applicant to your consultation responses and confirm whether you have any further queries or comments</p>	<p>This was at an early stage following the initial NIA which was superseded by the existing one. The comments were addressed in the final document although the Council is still concerned about the impact of road noise to receptors on the Leicester Road.</p>	<p>The Applicant notes that ES Appendix 10.4 (document reference: 6.2.10.4, APP-183) was HBBC's consultation response, which was based on the PEIR noise chapter. This has now been superseded by Chapter 10 Noise and Vibration (document reference: 6.1.10A, REP4-039) and all discussions relating to noise are based on the ES Chapter, which is the most updated information. There is no 'discrepancy', since the ES Chapter reflects the assessment and the PEIR represented the environmental information available at the time of consultation. It is assumed that the residual concern relates to NSR28 detailed in</p>

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				<p>the Noise and Vibration ES Chapter(document reference: 6.1.10A, REP4-039). A 3.5m high acoustic barrier has been recommended to reduce noise from the proposed A47 link road at NSR28. With the proposed mitigation in place, the resultant effect is predicted to be negligible adverse in both the short-term and long-term.</p>
13	1.11.5	<p>TA – Part 5 [APP-142] Trip Distribution Table 3 uses the Census Occupational Categories and sets those 'in scope'. Do IPs consider that this is appropriate given that managerial staff, some of whom may work in the office elements, have been excluded?</p>	<p>It would be logical to ensure that all occupational categories are included within scope.</p>	<p>The Managerial roles were excluded within the original Trip Distribution document signed off by all parties prior to the model run. Further engagement with LCC NDI consultant team however, confirms that Census JTW data for similar sites, DIRFT and Magna Park are used in the analysis of commuter travel distances, combined with planning uncertainty logs used within the PRTM. These take account of likely trips on the network and include a number of managerial staff, this will be in the region of the 10% . The trip generation was based on similar SRFIs which did not exclude</p>

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				managerial roles and therefore accounts for such journeys to and from the site.
14	1.11.17	<p>Parking Provision</p> <p>a) Do the LAs consider the parking provision to be appropriate? If not, please explain why.</p> <p>b) Could the Applicant please explain what reduction in parking provision has been</p>	<p>The Council refers to the County Council vehicle parking standards which are published under their interim Highway Design Guide It should be noted that these are <u>maximum</u> requirements. The Council notes that the parking proposals are set out in REP1-011, but at REP3- 049 the applicant suggests that there may be an introduction of multi-storey car parking to satisfy occupier requirements. On this basis it is unclear exactly what the level of parking provision is actually intended as it seems flexible based on occupier requirements. There is the possibility that this may result in provision of car parking in excess of the County Council standards and the Council is concerned that this will further undermine the effectiveness of the sustainable transport strategy by creating over reliance on car based trips.</p>	<p>The introduction of a decked parking facility on the Site, as outlined within Written Statement of Oral Case ISH2 [Appendix D - Car parking strategy note] (document reference: 18.6.4, REP3-049) will not increase the overall site provision of parking spaces. Any inclusion will be for more efficient use of land within the plots.</p>

No	ExQ Ref	Matter	Hinckley & Bosworth Response	Applicant's Response
		allowed for in light of the proposed implementation of the Site Wide Travel Plan?		

Applicant's Response to HBBC Deadline 4 Submission: Response to Sustainable Transport Strategy & Plan

This representation is made by Hinckley and Bosworth Borough Council in response to the submission of REP3 – 016 (Sustainable Transport Strategy and Plan) submitted by the applicant at deadline 3.

The Council has already made its views known on the shortcomings of the originally submitted Sustainable Transport Strategy (APP – 153) in the Local Impact Report REP1 – 138 and Written Representations REP1 – 135. The changes made to the Strategy at deadline 3 are relatively minor and do not change the Council's view of the inadequacy of the delivery of sustainable transport options to support the development.

The Council's concerns are summarised as:

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1	a	<p>The mechanism for the delivery of the sustainable transport provisions is inadequate and raises doubts about what exactly is to be delivered and how and when it is to be delivered. The present proposal to secure the delivery of sustainable transport solutions is by way of Requirement 9 of the draft DCO which simply states that:</p> <p><i>9.—(1) The sustainable transport strategy must be complied with following the first occupation of any warehouse floorspace on the authorised development.</i></p> <p>However, the Strategy itself lacks the necessary precision and clarity to give complete and adequate certainty as to exactly what it is that the applicant is going to 'comply with'.</p>	<p>The Strategy submitted at Deadline 4 (document reference: 6.2.8.1B, REP4-052) provided greater clarity on commitments notably around cycling routes and bus provision. The Applicant notes the remaining concern on clarity and has produced a table of obligations within the STS. The updated document is submitted at Deadline 5 (document reference: 6.2.8.1C).</p>
2	b	<p>In terms of cycle access to the HNRFI site, the strategy refers to existing cycle infrastructure and local cycle routes, but fails to provide sufficient clarity on what measures are proposed to ensure that the local communities around the HNRFI site</p>	<p>The Strategy submitted at Deadline 4 (document reference: 6.2.8.1B, REP4-052)</p>


No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
		<p>can safely and satisfactorily access the site from the surrounding networks. The existing provision between the site and Barwell/Earl Shilton and into these settlements is variable, with some quite narrow shared use footways and some dedicated elements, and very few suitable and safe crossings. The Council has requested for some time an LTN1/20 audit of the routes to key local destinations and targeted interventions to deal with key issues. The strategy implies that the existing cycle provision is adequate to meet the needs of the development and suggests that cycle useage in the locality of the site is currently low, but that does not mean that demand would remain low once the development takes place. The applicant fails to demonstrate any specific additional measures to enhance access to local communities such as Barwell, Earl Shilton, Elmesthorpe or villages to the east of the M69. Para 4.45 from the site, but these are not continuous and are not adequate to provide safe access to the site for cyclists in large numbers – for example on the dualled part of the A47 immediately off the B4668 roundabout there are no cycle lanes at all. The applicant should be required to put forward a comprehensive scheme of cycle infrastructure improvements to ensure safe passage for cyclists to and from the site for those communities lying within cycling distance. The strategy does suggest some infrastructure improvements which are currently under consideration, but these are only possibilities or options and again referring to 3a above this is not sufficient clarity or detail to be relied upon for delivering any improvements.</p>	<p>expanded upon each of the suggested enhancements that were outlined in the DL 3 submission.</p> <p>More detailed drawings and rationale behind the options were included. This clarifies that the investment in sustainable transport is being directed to the areas of sustainable and active travel where the greatest benefits will take place.</p> <p>An analysis of population centres within typical cycling catchments has helped to inform the interventions and focus on those that would deliver routes with the potential to encourage cycling to the site.</p>
3	c	<p>Reference is also made to e-bikes which the strategy says <i>“have the potential to be introduced in later stages of the development phasing and will be reviewed through the travel plan coordinator and the required updates to the plan”</i> (para 4.56). However, only Narborough is mentioned in terms of a docking facility; this should be extended to include Hinckley Rail Station as well. The strategy also raises the possibility of bike</p>	<p>E-Bikes are suggested as a future consideration as currently Leicestershire's e-bike initiative has been withdrawn. Such arrangements generally</p>

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
		<p>sharing and bike hubs, but all of these proposals are merely suggestions as to what might be provided and is another example referred to in 3a above where it is simply to imprecise to have any certainty regarding future provision.</p>	<p>work better within a wider network. However, this does not remove the potential for it to be considered. Focus within the strategy has been on items effective from the project's earliest phases.</p>
4	d	<p>In terms of bus services, the applicant has introduced the Arriva 8 service between Hinckley and Lutterworth as a suitable existing service that the site could rely on. It is noted though that this service is not shown in figure 9. However, whilst this service runs to and from Hinckley bus station and has stops in Burbage, its destination is Lutterworth via Magna Park, which runs nowhere near the HNRFI site itself, so it is difficult to understand how this benefits the site. None of the services the applicant relies upon give direct access to the HNRFI site and do not connect the local communities into the site and the strategy fails to provide any clear proposals for enhancements to any existing services to connect the HNRFI site to them. The outcomes of the discussions with the bus operators are 'wooly' at best and offer no certainty as to what is actually being proposed and again para 3a above is referenced.</p>	<p>The figures were amended in the version of the STS and submitted at Deadline 4 (document reference: 6.2.8.1B, REP4-052). Both the 8 and the X6 will run through the site on the new link road stopping at the bus interchange. Travel to warehouse units will be by private shuttle transporting passengers between the bus interchange and the various units. At this stage, the strategy has set out the commitments to provide these services to the site and is secured through the DCO. The DRT provides connections to the site from the communities close to the site that are underserved by existing</p>

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
			public service bus provision.
5	e	At the hearings the applicant made assertions that a key mitigation for capacity issues created at J21 of the M1 was buses and mode shift; however, there is no indication that these mode shift targets will deliver this. The development is very close to the urban areas of Hinckley, Barwell and Earl Shilton and Hinckley Rail Station and the mode shift targets should reflect this opportunity and be more aspirational.	Mode shift targets have been refined within the STS following the ISH. The targets within the STS following the ISH. The targets are based on realistic percentage mode modelled on similar sites in the Midlands including EMG. The targets are ambitious with a higher percentage of public transport and car sharing targeted, , and the commitments are in place to ensure that they are achieved.
6	f	Table 6 and Figure 14 set out the proposed bus strategy; it is clear from Figure 14 that there is extremely limited provision proposed from the large urban areas of Hinckley/Barwell/Earl Shilton. Services 8 and 158 are still a significant distance from the site, and there is no clear picture of what will be provided and how it will be secured. If bus to bus interchange to the site is planned, what time constraint will that impose on passengers? Dependence on DRT services (for Hinckley or villages) is not regarded as a viable option in that the level of service is not set out, and most experience of DRT services is that they fall away after subsidy runs out. DRT is also unlikely to be sufficiently responsive to meet multiple conflicting demands from different locations by passengers wanting to get to or from the site at the same time due to the shift patterns There is also mention of internal shuttle bus services taking	The urban areas mentioned are close to the site and sustainable transport mode provision has been focused on these areas as mentioned above in 3b. Service 8 will divert into the site. The 158 is not relied upon for access directly. The DRT will effectively be a private 'Many to One' service for the surrounding environs that are underserved

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
		<p>staff from m bus stops into the development itself, but no clarity as to if this is a definite proposal and how it will be secured.</p>	<p>by public transport. The current provider we have discussed the service with is confident that this works elsewhere and would be a viable service for a site of this nature. In addition a shuttle bus will operate within the site to connect to the bus interchange on the A47 link road. In addition a shuttle bus will operate within the site to connect to the bus interchange on the A47 link road. In addition a shuttle bus will operate within t In addition a shuttle bus will operate within the site to connect to the bus interchange on the A47 link road. There are clear commitments within the FTP and the STS to review and analyse provision and mode shift on a biannual basis. A shuttle bus service is a commitment within the STS (document reference: 6.2.8.1B, REP4-052).</p>

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
7	g	<p>Demand Responsive Transport (DRT) is still relied upon as a means of transporting passengers to the site locally, but again there are no details in the strategy as to how this will be achieved. The existing DRT scheme is a time limited Defra trial and when funding runs out there is no certainty that it will be retained and therefore should not be relied upon. Figure 13 still suggests a 'fixed route' serving Hinckley, Earl Shilton and Barwell, but again no detail of this is provided. The idea of a 'fixed route' also seems at odds with the idea of the service being 'demand responsive' covering a much wider area and it is very unclear how a fixed route that is also demand responsive could be delivered reliably. Table 6 indicates that there will be a DRT subsidy for buses increasing in years 1-3, but no information is provided after year 3, nor any information giving certainty as to how the subsidy is to be secured.</p>	<p>As outlined above the DRT service is a 'Many to One' type private provision. It will be delivered by a company with the expertise in running and developing these services. The fixed route referred to is driven by demand and is a short section that will help connect the centre of Hinckley with the site. The effectiveness of the DRT will be under review through the travel plan, though subsidies are confirmed through the STS (document reference: 6.2.8.1C) which is secured through the DCO.</p>
8	h	<p>Regarding walking to the site, the accuracy of the figure 15 2km isochrone is queried as it does not appear to accurately depict the distances from the site. This brings into doubt the accuracy of para 8.3's assertion that there is little population within walking distance of the site. The screenshot below shows a distance of 2km from the centre of the site with the yellow line.</p>	<p>The walking distances within the STS (document reference: 6.2.8.1B, REP4-052) are taken from the site centroid. The images do not differ significantly from the example here. The key point is that within 2km there are a very limited number of residential areas. Therefore, the focus on</p>

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
			<p>active travel has been on cycling with enhancements that benefit both cyclists and pedestrians.</p>
9	i	<p>No proposals are provided for enhancing walking access to the site, rather the applicant proposes to provide the County Council with an audit of existing substandard paths which the County Council will be expected to improve. This is not considered to be an acceptable approach.</p>	<p>Active Travel interventions have been included within the document, which include enhancements to crossings that are appropriate for pedestrians. The link road provides an extensive footway link and connections to existing</p>

No	ExQ Ref	Hinckley & Bosworth Council Response	Applicant's Response
			<p>pedestrian routes. The distance to local residential areas restricts the number of pedestrians likely to walk to the site and focus of the STS has been to enhance public transport, car sharing and cycling as the likely modes to achieve shift away from single occupancy car trips. This aligns with Paragraph 30 of Circular 01/22 and NPSNN policy on SRFIs which highlight the need for such facilities to be located adjacent to the SRN and rail network</p>

Applicant’s Response to HBBC Comments on Management Plans, Transport Assessment and PRow

No	ExQ Ref	Matter	Applicant’s Response
REP3 - 038 – HGV Route Management Plan & Strategy			
1	Para 1.7	There are concerns by local residents and stakeholders that given the scale of HGV activity there is likely to be an increase in inappropriate HGV parking. This may not be illegal but a significant public nuisance relating to litter, use of the streets as toilets etc. The HGV strategy sets out a mechanism to identify HGVs using the site by tenants using ANPR cameras. The Council requests that the strategy goes further to include measures to discourage inappropriate parking locally and allow reporting of issues by locals with details of this to the Site Management. They should then check these vehicles against the database of site vehicles and take the appropriate action as with use of prohibited routes.	The proposed development includes a lorry park and therefore the Applicant does not consider that the development will result in increased inappropriate HGV parking. The Applicant has indicated that should HGV parking on surrounding streets be an issue, that reporting by residents will be possible via the estate management, travel plan coordinator or via Blaby District Council Planning. The ANPR database can be used by the Site Management to identify if the vehicle is associated with a tenants operation and where persistent problems with parking arise action taken with the tenants.
2	Para 1.8	States that ‘the DCO will contain a requirement for a HGV routing strategy to be discharged prior to operational use’ – It is not clear once approved how this will be enforced and how additional measures would be introduced should these prove unsuccessful. For example a bond may be provided to implement further measures/ANPR cameras	Section 5 of the HGV Route Management Plan and Strategy (document reference: 17.4C) sets out the levels of process and review for the plan's implementation, including thresholds and stages of intervention/enforcement- in three clear parts: The first being management

No	ExQ Ref	Matter	Applicant's Response
			<p>interventions controlled by the Travel Plan Coordinator; second a Private Penalty System under the responsibility of the Site Management and the third being a revised HGV Route Management Plan subject to the Strategy Review Panel, which will include the Highway Authorities. The document is secured through Requirement 18 in the dDCO</p>
3	Para 5.1	<p>HBBC welcomes the involvement of planning authorities and parish councils along with the highway authorities in the governance of any final strategy and would seek assurance that the relevant HBBC parish councils will be on this steering group.</p>	<p>If requested the applicant can forward HGV reach reports to the Parish Councils.</p>
4	Management Plan 17.4 and section 5 Construction HGVs	<p>Indicates that roads through Hinckley Town centre and Barwell are prohibited routes, and this is welcome. However in the latter sections on management and enforcement , e.g. 5.15 these roads are not mentioned as prohibited, and the following tables showing proposed level of enforcement breaches do not include these roads, and there is no proposal for ANPR cameras to obtain information on use of these prohibited routes. The Council requests amendments to this plan to show how these important prohibited routes will be covered.</p> <p>See note under 17.6b below, the Council requests that construction HGVs also be included on the strategy management and enforcement in particular in relation to prohibited routes and management/enforcement of prohibited routes.</p>	<p>The HGV Route Management Plan and Strategy (document reference: 17.4C) sets out that ANPR is intended to target the routes that may be used by development traffic as opposed to the SRN. The implementation of the south facing slips will remove HGVs from routes in Hinckley and Barwell. The routes will remain undesirable, but ANPR implementation is not proposed at this stage. Reviews with the Strategy Review Panel provides the opportunity to address this should issues be reported.</p>

No	ExQ Ref	Matter	Applicant's Response
			<p>To safeguard local communities and mitigate potential disruptions during the development phase, the Applicant shall incorporate specific provisions within any contract related to the development. These provisions are designed to restrict the Principal Contractor from utilising routes through Hinckley, Sapcote, Stoney, and Elmesthorpe. This is set out in document 20.1.9 Applicants response to Exa Written Questions [Appendix I Construction Traffic Derivation]. This document will be appended to the Construction Traffic Management Plan (CTMP) for Deadline 5 (document reference: 17.6C); the CTMP is secured by Requirement 23.</p>
REP3 - 040 – Construction Traffic Management Plan			
5		<p>While some broad information is provided on phasing and overall vehicle volumes and routes, it is not clear from the CTMP what impacts there will be on roads in the borough; the Council seeks confirmation of the staging of construction and how it will impact on roads in the borough during each phase, with vehicle numbers. For example no detail is provided of use of the proposed haul road on Smithy Lane (para 1.88) or the distribution of traffic</p>	<p>The information within the Construction Traffic Management Plan (document reference: 17.6B, REP3-040) is best estimate based on liaison with the construction management team and trip rates used from similar sites. It provides</p>

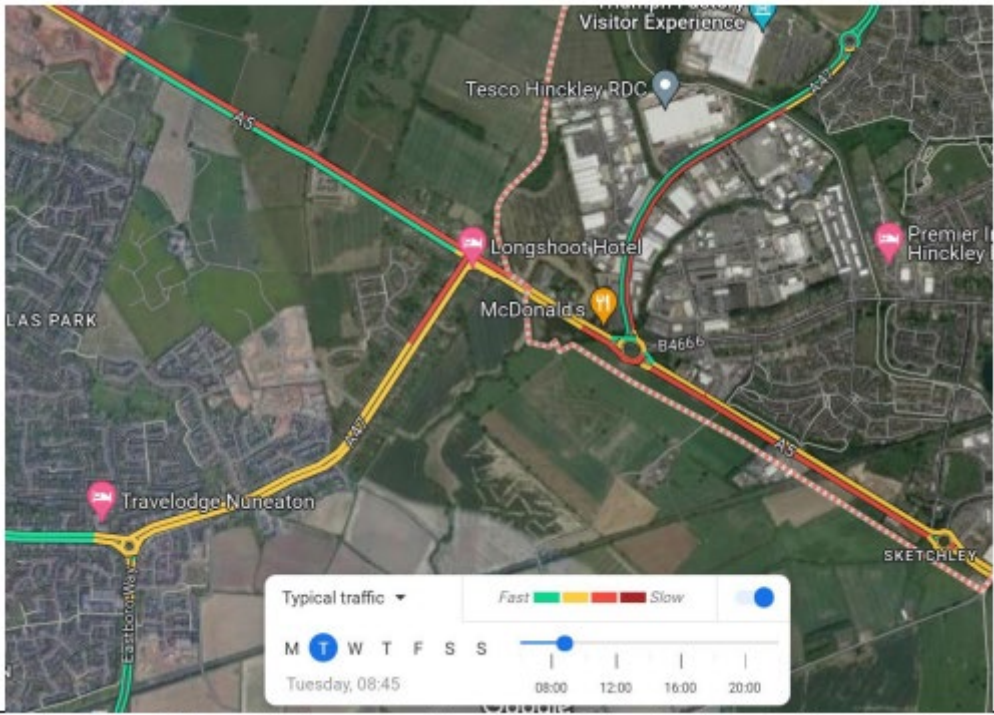
No	ExQ Ref	Matter	Applicant's Response
		<p>following the initial phases (para 1.95). The applicant should clearly show graphically the phasing and likely traffic using different routes together with the prohibited routes.</p>	<p>a strategy for managing access to the site and distribution of likely routes, prior to completion of the slip roads and the A47 link.</p> <p>Temporary traffic management will be utilised to undertake the works to circulatory on M69 J2 and realignment of the B4669 on approach to the junction and this will include the construction of the permanent A47 Link road off the existing highway which once constructed, will then be utilised by vehicles during the construction of the A47 Link Road, RFT works and Units 1 and 2. The initial main works to site will be earthworks and this plant will be delivered once and then remain on site until the earthworks are completed. Any use of Smithy Lane will be minimal in duration and use due to it is removed within the site boundary for construction of the A47 link road.</p>
<p>REP3 – 043 – M69 Emergency Closure Plan</p>			
6		<p>The Council does not believe that this provides an adequate response to the matter raised by the ExA at the Hearing, which required an assessment of the implications of the development in the event of M69 closures. The applicant claims the development and its traffic will not affect the frequency or impact of any closures of the M69 but does not provide any justification</p>	<p>SRN closures are an unavoidable issue in the management of such a network. Capacity on LRN is invariably much less than the SRN itself and is the case across</p>

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		<p>for this given the significant increase in traffic volumes. The potential closure of the M69 in either direction for only short periods of time will have a significant impact on the local highway network within the borough and on its residents and businesses as the only route for traffic to use would be the A47 link road, for traffic either seeking an alternative route north to the M1 or south to the A5. The Council's view is that this issue should be considered further with appropriate modelling to properly consider the impacts in order to determine whether they are acceptable.</p>	<p>the country.</p> <p>As mentioned in the M69 Emergency Closure Plan (document reference: 17.8, REP3-043) In circumstances where closure of the SRN occurs, the Emergency Routing Plan would come into force. A further document has been submitted at Deadline 4 which outlines the Incident Plan in more detail (document reference: 17.8.1, REP4-115) It is a locational requirement for SRFIs to be close to major trunk roads. (NPS – NN 2.45) in order to primarily route the HGV short haul movement, via the SRN. The additional traffic associated with HNRFI will not have a direct bearing upon the frequency of closures of the SRN, which are not directly related to the volume of traffic. Accidents may happen for a range of reasons and cannot be modelled for frequency.</p> <p>The future Site management will have the opportunity to communicate to the occupiers to limit or stop trips onto the LRN while the SRN closures are in place. Further detail is included within the HGV</p>

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			<p>Route Management Plan and Strategy (document reference: 17.4C) paragraphs 4.11-4.17 Delays associated with the closures or diversions onto inappropriate routes would not be commercially attractive to logistics operators.</p> <p>The A47 link road provides a new alternative between the M69 and the A47 which will remove the requirement of traffic to route through Hinckley or Elmhursthorpe.</p>
REP3 – 054 – Accessibility Plans for Burbage Common Road			
7		<p>The accessibility plans for walking and cycling appear incorrect and thus confusing. For example they show a 'proposed permissive path' for walkers and cyclists along the A47 – but the Council would expect these to be part of the publicly adopted highway and thus, not permissive paths. The council has expressed concern at details of these routes including the need to cross the link road in path continuity and how safe and what quality the permissive paths will be across the site as well as crossing facilities - these</p>	<p>Figure 11.14A-has been updated for Deadline 5 to clarify the position in relation to permissive paths and adopted paths.</p> <p>A plan showing the footpath / cycleway A47 link road design including crossing points is submitted as Written</p>

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		concerns remain	Statement of Oral Case ISH6 (Appendix C – Plan for A47 link road footway / cycleway design (document reference 18.15.3).
REP3 – 018 – Framework Travel Plan			
8	Page 21	There are some anomalies which require correction between the description of existing bus services in the sustainable transport strategy and the Travel plan, such as the service 8	The Framework Travel Plan (document reference: 6.2.8.2B, REP4-055) and Sustainable Transport Strategy (document reference: 6.2.8.1, REP4-055) were updated as part of the Deadline 4 submissions, including amendments to the bus service provision descriptions.
9	Page 28	It is not clear which of the elements listed here from the Sustainable Transport Strategy (STS) will be implemented by the applicant and when; and what in what detail (such as the cycling improvements). As noted in the separate comments in relation to the STS, the bus proposals appear minimal with no detail of the catchments, journey and walking times relating to the proposals. The Travel Plan only appears to commit to the X6 service, an extension of the 8 service and relatively unspecified DRT provision. These elements need to be further described and detailed to be meaningful measures in the Travel Plan that can be secured and monitored. As one example, in respect of bus service 8 (Hinckley Nuneaton), table 6 in the STS describes a potential option; there is no plan of the proposed route and stops, the stop catchments and service journey time, including walk to/from bus stops (or interchange with described internal shuttle bus) . It is not quite clear the timings of the service and days of week of operation although	As above response to item 8; The Sustainable Transport Strategy (document reference: 6.2.8.1B, REP4-052) has been updated for Deadline 4 to provide clarity on the cycling routes and indicative timetabling received from the bus operators. Cycling routes provide a clear commitment to accessing areas with the highest potential for cycle mode share, within 5km of the site. This includes enhancements to Hinckley and Barwell, Earl Shilton and Burbage. Bus services are fully committed and

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		it seems to be a 1 per hour proposal. Without this information it is difficult to understand whether this service will provide good accessibility and how it can be secured.	secured through Requirement in the DCO. Both the X6 and the 8 will divert into the site and resume on existing bus routes which serve a wide catchment within Hinckley and the surrounding settlements. A DRT service will run to those areas not served by the fixed bus routes, operating on a 'Many to One' style service. The Deadline 5 submission contains a summary table of commitments within TS.
REP3 – 0157 – Transport Assessment (Part 1 of 20)			
10	Para 8.8.5	Junction 13 – M69 Junction 1 -the conclusion seems to hinge on a recalibration of the installed MOVA system , which presumably could be and may indeed be done now in the base situation. There should be appropriate comparison of this junction given its critical nature as a link to the A5.	Further VISSIM modelling was carried out for Deadline 4 with observed flows from November 2023. This is included within the Transport 2023 Update (document reference: 18.13.2, REP4-131). The report contains further review of the requirement for MOVA updates.
11	Para 8.93	Junction 14 – A5 / B4666 / A47 (Dodswells) – the conclusions that this junction will operate satisfactorily in 2036 without mitigation seems at odds with current practical experience in the peak hours, where extensive queuing and interactions with the adjacent A5/Longshoot junction. The operation of this junction is very important to the Council in that delays here may encourage much higher use of the A47 rather than the A5/M69. The extract from current Googlemap depictions of delay here in a typical morning peak hour is below and shows current issues.	Further VISSIM modelling has been was carried out for Deadline 4 using the National Highways Model for Dodswell and Longshoot and the additional traffic forecast and mitigation proposed for the Padge Hall Farm development. This was agreed with the Highway Authorities and is reported in the Transport 2023

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			<p>Update (document reference: 18.13.2, REP4-131). Mitigation is only necessary should be to ensure there is no detriment due to the proposed development. Impacts from the development were concluded to not trigger any mitigation.</p>
12	Para 8.21	<p>J21 of the M1 – this issue and the lack of detailed modelling has been discussed at the examination and this new version of the TA has not provided any further information. This remains a concern for the Council given the effect it has on local roads in the Borough and the wider accessibility of the area.</p>	<p>The Transport 2023 Update (document reference: 18.13.2, REP4-131) submitted at Deadline 4 contains additional information relating to M1 J21 and modelling assessments of the forecast impacts of the development. The Applicant maintains that the impact of the Development is not severe when compared with the forecast background</p>

No	ExQ Ref	Matter	Applicant's Response
			flows.